



OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE

Marc Elrich
County Executive

Tiffany Ward
Director and Chief Equity Officer

MEMORANDUM

February 21, 2023

To: Jennifer Bryant, Director
Office of Management and Budget

From: Tiffany Ward, Director
Office of Racial Equity and Social Justice 

Re: Racial Equity Impact Assessment (REIA) Supplemental Appropriation (SA) #23-63
Agriculture Land Preservation (No. 0788911)

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental #23-63—Agriculture Land Preservation (No. 0788911)— is unlikely to advance racial equity and social justice in the County, as the eligibility criteria of funds involved with this appropriation do not include smaller farms under 50 acres, which due to structural inequities are more likely to have a principal producer who is a person of color or female. As a result, the acquisition of additional easements on the agricultural reserve— through this supplemental request—is more likely to benefit larger farms with a principal producer who is White or male.
- II. **BACKGROUND:** The purpose of Supplemental Appropriation # 23-63 Ag Land Preservation (No. 0788911) is to fund agricultural land preservation easements using revenue from a FY23 State Rural Legacy Program (RLP) Grant award and FY22 State Ag Transfer Tax income. The Capital Improvements Program (CIP) Agriculture Land Preservation Easements project aims to support the Office of Agriculture’s (OAG) ability to acquire additional easements on the Agriculture Reserve. The overarching goal of the County’s Agricultural Land Preservation efforts are:
- To conserve farmland for future food and fiber production
 - To ensure a continued high-quality food supply for our citizens.
 - To preserve the agricultural industry and rural communities
- The County Agricultural Easement Program (AEP) enables the County to purchase preservation easements on farmland in the agricultural zones and in other zones approved

by the County Council to preserve farmland not entirely protected by Transferable Development Rights (TDR) easements or State agricultural land preservation easements. In this case, the appropriation will be used to fund the acquisition of specific large easements (greater than 50 acres) in OAG’s pipeline, one of which will be funded with a RLP Grant. Other easements involved with this appropriation will be funded with State Agriculture Transfer Tax income, which will be leveraged to increase available funding for the easement acquisition.

In February 2022, ORESJ conducted a REIA of Supplemental Appropriation #22-MCG 06¹ which involved funding from the RLP. In that REIA, ORESJ explained how the RLP’s structure and eligibility requirements do not enable equitable access to land for smaller farms, which due to systemic and structural factors are more likely to be farms owned by people of color or women. *Please read ORESJ’s REIA for a full explanation of historical and current patterns of systemic racism in farming and land ownership.* Overall, the acreage restriction in the RLP limits OAG’s ability to reach farmers of color and women farmers with the financial assistance afforded through the program.

In addition to RLP’s land acreage constraints, OAG is constrained in its ability to expand land access by additional factors not well addressed with financial resources alone. One challenge is familiarity with land easement purchasing. Multigenerational farming families have more understanding of how to access and benefit from easement purchasing. So, resources for targeted outreach and awareness-building could help reduce knowledge gaps for new farmers, farmers of color, and women farmers. Another constraint in expanding equitable land access is the absence of designated legal expertise to efficiently structure and execute deals. Deal efficiency is a major challenge as the circumstances surrounding the buyers’ and sellers’ interests can quickly change. Finally, bolstering support for OAG with designated resources to target capital and assistance to smaller farms, newer farmers, and farmers of color and women farmers will go a long way in addressing wealth and other economic inequities related to land access and farming.

III. DATA ANALYSIS

The average farm in Montgomery County was 117 acres in 2017. Average farm acreage varies by race, ethnicity, and gender of the principal producer. The 2017 Census of Agriculture data for Montgomery County shows that average acreage among principal producers who are women, people of color, and new or beginning is lower than the County average and the average among Male and White principal producers.

Average Farm Acreage, Montgomery County, Maryland 2017

Principal Producer	Number of farms	Land in farms (acres)	Average acres per farm
--------------------	-----------------	-----------------------	------------------------

¹ <https://www.montgomerycountymd.gov/ore/Resources/Files/22-53.pdf>

Racial Equity Impact Assessment (REIA) Supplemental Appropriation (SA) #23-63 Agriculture
Land Preservation (No. 0788911)

February 21, 2023

Page 3 of 3

County	558	65,537	117
Asian	12	319	27
Black	14	316	23
White	515	64,341	125
Hispanic	17	833	49
Native American/Alaska Native	4	110	28
More than one race	20	500	25
Male	363	57,397	158
Female	353	18,660	53

Source: Author's calculations of 2017 USDA Census of Agriculture using Table 1, 46, 47, 48, 49, 50, 51, 53, 54, 57. Available at:

https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1,_Chapter_2_County_Level/Maryland/

cc: Jeremy V. Criss, Director, Agricultural Services
Ken Hartman, Director, Strategic Partnerships, Office of the County Executive